

FILED
Clerk
District Court

OCT 31 2006

For The Northern Mariana Islands
By _____
(Deputy Clerk)

1 LIZAMA_D.FinOrd

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8
9 IN THE UNITED STATES DISTRICT COURT
10 FOR THE NORTHERN MARIANA ISLANDS

11 UNITED STATES OF AMERICA,)

12 Plaintiff,)

13 vs.)

14 DIONICIO REYES LIZAMA, JR.,)

15 Defendant,)

16 LUEN FUNG ENTERPRISE,)

17 Garnishee.)

CRIMINAL CASE NO. 97-00023

**FINAL ORDER IN
CONTINUING GARNISHMENT**

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19 FINAL ORDER IN CONTINUING GARNISHMENT

20 This matter is before the Court for consideration of the entry of a final order in
21 continuing garnishment pursuant to Section 3205 of the Federal Debt Collection Procedures
22 Act of 1990, 28 U.S.C. § 3205, against the non-exempt earnings of the judgment defendant,
23 DIONICIO REYES LIZAMA, JR.

24 An Application of Amended Writ of Continuing Garnishment directed to Garnishee has
25 been duly issued and served upon the Garnishee. Pursuant to the Amended Writ of Continuing
26 Garnishment, the Garnishee filed an Answer stating that at the time of the service of the
27 Amended Writ it had in its possession or under its control personal property belonging to and
28 due defendant, in the form of earnings.


1 The defendant was served with a copy of the Amended Writ of Continuing Garnishment
2 and notified of his right to a hearing. The defendant requested a hearing to determine exempt
3 property which was held on October 26, 2006.

4 Whereupon the Court, having considered the Application for a Writ of Continuing
5 Garnishment against the earnings of the Defendant, the Answer of the Garnishee, and noting that
6 the defendant, DIONICIO REYES LIZAMA, JR., exercised his right to request a hearing and a
7 hearing was held now finds that the entry of a final order of continuing garnishment is in all
8 respects proper.

9 IT IS THEREFORE ORDERED Garnishee shall pay to plaintiff the lesser of a) 25% for
10 any workweek, pursuant to 15 U.S.C. § 1673(a), of defendant's disposable earnings or b) the
11 amount by which defendant's disposable earnings exceed 30 times the federal minimum hourly
12 wage. "Disposable earnings" are those earnings remaining after deductions of any amount
13 required by law to be withheld, such as social security and withholding taxes. These payments
14 shall be made at the same time the employee is paid and shall continue until the debt to the
15 plaintiff is paid in full or the Garnishee no longer has custody, possession or control of any
16 property belonging to the debtor or until further Order of this Court. Payments shall be made
17 payable to the "Clerk, U.S. District Court for the NMI" and sent to the U.S. District Court for
18 the Northern Mariana Islands, 2nd Floor, Horiguchi Building, Garapan, P.O. Box 500687, Saipan,
19 MP 96950.

20 IT IS FURTHER ORDERED that any amounts which the Garnishee may be holding
21 pursuant to the Writ of Continuing Garnishment shall immediately be turned over to the Clerk's
22 Office at the above address.

23 DATED this 31ST day of OCTOBER, 2006.

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26 
27 ALEX R. MUNSON
28 Chief Judge
U.S. District Court for the Northern
Mariana Islands